

KAUAI PLANNING COMMISSION
REGULAR MEETING

Tuesday, OCTOBER 12, 2004

**9:00 A.M. Lihue Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Lihue, Kauai, Hawaii**

AGENDA

Call to Order

Approval of the Agenda

A. GENERAL BUSINESS MATTERS

1. Announcements and General Business Matters.

B. COMMUNICATION

C. SUBDIVISION – Action on subdivision matters listed in the Subdivision Committee Agenda (attached).

D. UNFINISHED BUSINESS

1. Special Management Area Use Permit SMA(U)-2004-6, Project Development Use Permit P.D. U-2004-30 and Class IV Zoning Permit Z-IV-2004-35 = ***Regency Development LLC***. (For 323 condominium units and one manager's unit with accessory uses and buildings, driveways and 508 parking stalls, Poipu.) [Hearing re-opened by Planning Commission 6/22/04 (First public hearing cont'd 5/11/04, closed 6/8/04, re-opened 6/22/04), re-opened public hearing continued 8/10/04, closed 8/24/04.]
 - a. Letter (8/27/04) from Margy Parker, Poipu Beach Association.
 - b. Letter (8/31/04) from Gregory Swett.
 - c. Letter (Undated, Received 8/31/04) from Elizabeth Carlson, Poipu Kapili Board of Directors.
 - d. Comments (8/31/04) from Donald H.Chung.
 - e. Letter (8/30/04) from Howard Schirmer, Jr., P.E.
 - f. Letter (10/4/04) from Avery Youn, clarifying issues raised by the public and the Planning Commission.
2. Use Permit U-2005-2 and Class IV Zoning Permit Z-IV-2005-2 = ***Kukuiula Development Company (Hawaii), LLC***. (To establish a temporary sales center for resort and residential projects at Kukuiula, Koloa Makai.) [Hearing closed 9/14/04.]
 - a. Letter (9/21/04) from Councilwoman JoAnn A. Yukimura.
3. Letter (9/6/04) from Wade Lord, CBRE, providing progress report regarding the Pedestrian Bridge Project Across Uhelekawawa Canal. [Action deferred 9/28/04.]
4. Letter (10/21/04) from Harold Bronstein, Esq., requesting modification of Condition 9 of Design Review for Lot 2, Wainiha Subdivision, (S-84-58), ***Carl Stephens***. [Action deferred 9/28/04.]
5. Variance Permit V-2004-16 and Class IV Zoning Permit Z-IV-2004-43 = ***Mid Pacific Communications, Inc.*** (To deviate from the maximum height limit for a telecommunication antenna/pole within the Limited Industrial District for the placement of a 90 ft. high antenna tower and telecommunication facility, Lihue.) [Hearing continued 7/13/04, continued 7/27/04, closed 8/24/04, lack of majority vote taken 9/28/04.]

D. UNFINISHED BUSINESS (Cont'd)

6. Executive Session:

Pursuant to Hawaii Revised Statutes 92-4 and 92-5(a)(2) & (4), the purpose of this executive session is to discuss matters pertaining to the Planning Director position and, if necessary, to consult with the County's legal counsel. This session pertains to the evaluation of the Planning Director position where consideration of matters affecting privacy will be involved and, if necessary, to consult with legal counsel regarding the powers, duties, privileges, immunities, and/or liabilities of the Planning Commission as it relates to this agenda item.

E. PUBLIC HEARING (1:30 P.M. OR SHORTLY THEREAFTER)

1. Continued Public Hearing:

- a. Project Development Use Permit P.D. U-2005-3 and Class IV Zoning Permit Z-IV-2005-4 = ***SVO Pacific Inc.*** (To allow the development of a time-share apartment-hotel project consisting of 366 resort condominium units and 7 hotel rooms and associated amenities such as off-street parking, clubhouse, restaurant, swimming pools, and convenience store, Princeville.) [Hearing continued 9/28/04.]
 1. Agency Comment from State of Hawaii, Department of Transportation (9/27/04).
 2. Letter (10/4/04) from Robert K. Nakea, III and Dorothy S. Nakea.

2. New Public Hearing:

- a. Special Management Area Use Permit SMA(U)-2005-2, Use Permit U-2005-5, Variance Permit V-2005-2 and Class IV Zoning Permit Z-IV-2005-6 = ***Kamal Salibi***. (For a two unit multiple family dwelling within the Resort (RR-20) Zoning District, with encroachment into the side and front yard setbacks, Pali Kai Cottages, Nawiliwili.)
- b. Special Management Area Use Permit SMA (U)-2005-1, Project Development Use Permit P.D. U-2005-4, Use Permit U-2005-6, Variance Permit V-2005-1 and Class IV Zoning Permit Z-IV-2005-5 = ***Coco Palms, LLC***. (To allow the renovation and redevelopment of the Coco Palms Resort into 103 hotel suites and 200 multi-family residential condominium units including support facilities such as retail shops, spa, museum, restaurants, office space, meeting rooms, off-street parking with deviation to building height, building setback to property lines, and lot coverage requirements, Wailua.)
 1. Petition for Intervention (10/5/04) from Petitioner, Avery H. Youn.

F. NEW BUSINESS

1. Project Development Use Permit P.D. U-2005-3 and Class IV Zoning Permit Z-IV-2005-4 = ***SVO Pacific Inc.***
2. Special Management Area Use Permit SMA(U)-2005-2, Use Permit U-2005-5, Variance Permit V-2005-2 and Class IV Zoning Permit Z-IV-2005-6 = ***Kamal Salibi***.
3. Special Management Area Use Permit SMA (U)-2005-1, Project Development Use Permit P.D. U-2005-4, Use Permit U-2005-6, Variance Permit V-2005-1 and Class IV Zoning Permit Z-IV-2005-5 = ***Coco Palms, LLC***.

G. ADJOURNMENT

EXECUTIVE SESSION: Pursuant to Hawaii Revised Statutes ("H.R.S.") Section 92-7(a), the Planning Commission may, when deemed necessary, hold an executive session on an agenda item without prior written public notice if the executive session was not anticipated in advance. Such executive session shall be held pursuant to HRS Section 92-4 and shall be limited to those items described in HRS Section 92-5(a).

NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Lihue, Hawaii 96766. Telephone: 241-6677.